

DRAFT

**PLANNING COMMISSION
RESOLUTIONS**

General Plan Update Staff Report

City of Chula Vista

December 2005

RESOLUTION GPA-01-03

A RESOLUTION OF THE CITY OF CHULA VISTA PLANNING COMMISSION RECOMMENDING CITY COUNCIL APPROVAL OF THE COMPREHENSIVE GENERAL PLAN UPDATE; REPEALING OF THE MONTGOMERY SPECIFIC PLAN; AND OF AN AMENDMENT TO THE CITY'S MULTIPLE SPECIES CONSERVATION PROGRAM SUBAREA PLAN

WHEREAS, the City of Chula Vista's current General Plan was last comprehensively updated in July 1989, with a partial update conducted in conjunction with adoption of the Otay Ranch project in 1993; and,

WHEREAS, pursuant to State law, the City has undertaken a periodic, comprehensive review to update its General Plan looking out to the year 2030; and,

WHEREAS, the current Housing Element of the General Plan is subject to 5-year periodic updates under separate provisions of State law, and is therefore not affected by this comprehensive General Plan Update, and will remain in its current form until its next update under applicable State law; and,

WHEREAS, the comprehensive General Plan Update project ("GPU") was initiated with a public Town Hall Meeting in April 2002; and,

WHEREAS, the City and its consultants worked over the next three years in the conduct of an extensive, four-phased public outreach and input process to gather information needed to prepare the GPU, and to share with and receive feedback from the public on various interim work products, and the proposed draft GPU; and,

WHEREAS, that public outreach and input process involved five other Town Hall meetings, and four ad-hoc committees with over 50 citizen members holding over 70 meetings, that included a Steering Committee, Economic Development Subcommittee, Public Facilities & Services Subcommittee, and Environment, Open Space & Sustainable Development Subcommittee; and,

WHEREAS, a member of the Planning Commission was part of the GPU Steering Committee; and,

WHEREAS, as part of this three-year process, staff and the consultants also met with the Planning Commission and/or City Council on 19 occasions to provide updates and present interim work products, and to receive preliminary input and direction regarding policy issues and the land use and transportation scenarios to be evaluated; and,

WHEREAS, the areas of land which are the subject of this Resolution contain all lands within the boundaries of the City's General Plan Area as diagrammatically depicted on the General Plan Land Use Diagram presented as Figure 5-12 of the proposed Land Use and Transportation Element; and,

WHEREAS, within that overall General Plan Area, the substantive amendments to land use and transportation are associated with particular focus areas within the Northwest, Southwest and East Planning Areas as presented in the proposed General Plan document, and include both amendments proposed by the City, as well as those proposed in the East Planning Area thorough private General Plan Amendment (GPA) applications filed with the Planning and Building Department of the City of Chula Vista by the Otay Ranch Company (GPA-01-01, GPA-03-10), Otay Land Company (GPA-03-04), and Flat Rock Land Company (GPA-03-08),(collectively the "Applicants"); and,

WHEREAS, as more fully described in the GPU staff report, the EIR project description, and the General Plan documents themselves (on file with the City Clerk's Office), the amendments proposed by the General Plan Update generally include the addition of overall housing capacity and an increased density for that additional capacity; the addition of three new Mixed Use classifications; the retention and expansion of industrial employment lands; the creation of a more intensive urban core area in Northwest Chula Vista, and an urban core roadway network and classifications for that area; the addition of a new Urban Core Residential classification; miscellaneous revisions to the circulation roadway network, and the addition of a rapid transit system network; the improvement of connections between eastern and western Chula Vista, and the connection of major activity centers throughout the City such as major shopping centers, educational and sporting facilities, and major community centers; the designation of land to accommodate a distinctive multi-institutional university facility; preservation of large areas of natural open space and the addition of an Open Space Preserve classification to acknowledge those areas covered by the City's MSCP Subarea Plan; and re-arrangement and creation of new land uses and village/town center boundaries within the Otay Ranch; and

WHEREAS, in conjunction with adoption of the City's MSCP Subarea Plan on May 13, 2003, it was noted that a mapping correction was needed to change approximately 45 acres of active recreation uses land uses within the Otay River Valley to Preserve designation; and,

WHEREAS, the City adopted the Montgomery Specific Plan in 1988 pursuant to Resolutions No. 13413 and 13780, which was a policy plan and did not contain any separate ordained zoning regulations for the area; and,

WHEREAS, the proposed GPU Land Use and Transportation Element now contains a Southwest Area Plan that incorporates the remaining, relevant policy provisions from the Montgomery Specific Plan, and calls for the preparation of several more localized Specific Plans within the Area; and,

WHEREAS, in December 2004, the City originally released the proposed GPU for public review; and,

WHEREAS, the City referred the proposed GPU to all necessary entities pursuant to the State Planning and Zoning Law, Government Code section 65000 et seq.; and,

WHEREAS, as a result of the comments received from the review the City determined in March 2005, that it would pause the GPU process to consider the comments and entertain revisions to the Plan in response; and,

WHEREAS, the City's Environmental Review Coordinator has reviewed the GPU and determined that the GPU would result in a significant impact to the environment, therefore, re-circulated Draft Environmental Impact Report (EIR 05-01) has been prepared; and,

WHEREAS, in September 2005, the City released a revised set of GPU documents and re-circulated Draft EIR-05-01 for a second public review; and,

WHEREAS, the Planning Director set the time and place for a hearing on the GPU and notice of said hearing, together with its purpose, was given by its publication in a newspaper of general circulation in the city, at least 10 days prior to the hearing; and,

WHEREAS, pursuant to California Government Code section 65090, the Planning Commission held a duly noticed public hearing on the GPU on December 8, 2005, (and December 12, 2005 if needed); and,

WHEREAS, the Planning Commission found that the Final Environmental Report (EIR) has been prepared in accordance with the requirements of the California Environmental Quality Act (CEQA), and the Environmental Review Procedures of the City of Chula Vista; and,

WHEREAS, the Planning Commission found that certain environmental impacts can be mitigated to a level of less than significant, and for those impacts that can not be mitigated to below a level of significance, a statement of overriding considerations has been recommended for adoption by the City Council; and,

WHEREAS, for those environmental impacts that can be mitigated to less than significant, as described in the Final Environmental Impact Report (EIR 05-01), a Mitigation Monitoring and Reporting Program has been prepared in order to ensure that affected Applicants, and any other responsible parties implement the identified mitigation measures; and,

WHEREAS the Planning Commission has received certain evidence on December 8, 2005 (and December 12, 2005 if necessary), as set forth in the record of its proceedings herein by reference as if set forth in full, and hereby recommends that the City Council approve the comprehensive General Plan Update, repeal the Montgomery

Specific Plan, and approve the amendment to the City's MSCP Subarea Plan, with the following provisions:

1. Approve the September 2005 re-released Draft General Plan and General Plan Diagram (referenced as Document 1 of 2);
2. Approve the September 2005 Draft General Plan Proposed Edits (referenced as Document 2 of 2);
3. Approve the further edits regarding Transit Focus Areas as presented in Attachment 1 to the December 13, 2005, staff report;
4. Approve staff's supported land use alternatives, and related General Plan Update text and map erratas for the Freeway Commercial and Gun Club areas, as presented in Attachments 3A & 3B to the December 13, 2005, staff report;
5. Approve the miscellaneous, additional GPU corrections as presented in Attachment 5 to the December 13, 2005, staff report;
6. Incorporate the Planning Commission's recommendations, as determined at the December 8, 2005, hearing (and December 12, 2005, if needed), regarding the proposed land use alternatives and text revisions for the South Broadway and South Third Avenue areas as presented in Attachment 7A and 7B to the December 13, 2005, staff report;
7. Approve the MSCP Subarea Plan mapping amendment as presented in Attachment 11 to the December 13, 2005, staff report; and,

WHEREAS, the hearing was held at the time and place as advertised, namely 6:00 p.m., December 8, 2005 and, if necessary December 12, 2005, in the Council Chambers, 276 Fourth Avenue, before the Planning Commission and said hearing was thereafter closed.

NOW, THEREFORE, BE IT RESOLVED THAT, from the facts presented to the Planning Commission, the Planning Commission has determined that the approval of the comprehensive General Plan Update, the repeal of the Montgomery Specific Plan, and the approval of the amendment to the City's MSCP Subarea Plan will result in an internally consistent General Plan, and that the public necessity, convenience, general welfare and good planning practice support the approvals.

BE IT FURTHER RESOLVED THAT THE PLANNING COMMISSION recommends that the City Council adopt a resolution approving the comprehensive General Plan Update, repealing the Montgomery Specific Plan, and approving the amendment to the City's MSCP Subarea Plan, in accordance with the findings contained

in the attached draft City Council Resolution, and that a copy of this resolution be transmitted to the noted Applicants and the City Council.

PASSED AND APPROVED BY THE PLANNING COMMISSION OF THE CITY OF CHULA VISTA, CALIFORNIA, this 8th day of December, 2005, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

Vicki Madrid, Chair

ATTEST:

Diana Vargas, Secretary

RESOLUTION PCM 03-08

A RESOLUTION OF THE CITY OF CHULA VISTA PLANNING COMMISSION RECOMMENDING APPROVAL OF THE AMENDMENTS TO THE OTAY RANCH GENERAL DEVELOPMENT PLAN AND RESOURCE MANAGEMENT PLAN

WHEREAS, duly verified applications were filed with the City of Chula Vista Planning Department requesting amendments to the Otay Ranch General Development Plan (GDP) by the Flat Rock Land Company for Planning Area 20, the Otay Ranch Company for Village Two, Three and the Freeway Commercial, and Otay Land Company for Villages Eight and Nine; and,

WHEREAS, the City of Chula on, June 2002, initiated an update to the City of Chula Vista General Plan and Otay Ranch General Development Plan (GDP); and

WHEREAS, the developer applications were consolidated with the City initiated GDP amendments necessary to implement the General Plan Update Preferred Plan with the exception of the amendments for Active Recreation area in Planning Area 20 and the Residential Mixed Use in Planning Area 12 Freeway Commercial; and

WHEREAS, the area of land which is subject matter of this Resolution is diagrammatically represented in Exhibit "A" and commonly known as the Otay Valley Parcel of the Otay Ranch General development Plan, and for the purpose of general description herein consists of approximately 9,100 acres located in the area bounded by the existing Telegraph Canyon Road, Heritage Road, the Otay River and Salt Creek in the Otay Ranch master planned community ("Property"); and,

WHEREAS, the development of the Property has been the subject matter of the Otay Ranch GDP previously approved by the City Council on October 28, 1993 by Resolution No. 17298, and as amended on November 10, 1998 by Resolution No. 19253 ("GDP Resolution") wherein the City Council, in the environmental evaluation of said GDP, relied in part on the Otay Ranch General Development Plan, Final Environmental Impact Report No. 90-01, SCH #9010154 ("Program FEIR 90-01"); and,

WHEREAS, the amendments to the Otay Ranch GDP Resource Management Plan (RMP) will adjust the Otay Ranch Preserve boundaries to be consistent with the Multiple Species Conservation Plan (MSCP) boundaries as represented in Exhibit "B"; and

WHEREAS, the City's Environmental Review Coordinator has reviewed the Project and determined that the Project would result in a significant impact to the environment, therefore, Environmental Impact Report (EIR 05-01) has been prepared; and,

WHEREAS, the Planning Commission found that the Final Environmental Report (EIR) has been prepared in accordance with the requirements of the California Environmental Quality Act (CEQA), and the Environmental Review Procedures of the City of Chula Vista; and,

WHEREAS, the Planning Commission found that certain environmental impacts can be mitigated to a level of less than significant, and for those impacts that can not be mitigated to below a level of significance, a statement of overriding considerations has been recommended for adoption by the City Council; and,

WHEREAS, for those environmental impacts that can be mitigated to less than significant, as described in the Final Environmental Impact Report (EIR 05-01) a Mitigation Monitoring and Reporting Program has been prepared in order to ensure that the Project Applicant, and any other responsible parties implement the identified mitigation measures; and,

WHEREAS the Planning Commission having received certain evidence on December 8, 2005 and December 12, 2005 if necessary, as set forth in the record of its proceedings herein by reference as is set forth in full, made certain findings, as set forth in their recommending resolution herein, and recommended that the City Council approve the amendments to the Otay Ranch GDP; and,

WHEREAS, the Planning Director set the time and place for a hearing on the Project, and notice of said hearing, together with its purpose, was given by its publication in a newspaper of general circulation in the city, at least 10 days prior to the hearing; and,

WHEREAS, the hearing was held at the time and place as noticed, namely 6:00 p.m., December 8, 2005 and, if necessary December 12, 2005, in the Council Chambers, 276 Fourth Avenue, before the Planning Commission and said hearing was thereafter closed.

NOW, THEREFORE, BE IT RESOLVED THAT, from the facts presented to the Planning Commission, the Planning Commission has determined that the approval of the amendments to Otay Ranch General Development Plan and Resource Management Plan are consistent with the City of Chula Vista General Plan, and that the public necessity, convenience, general welfare and good planning practice support the approval.

BE IT FURTHER RESOLVED THAT THE PLANNING COMMISSION recommends that the City Council adopt a resolution approving the amendments to the Otay Ranch GDP in accordance with the findings contained in the attached City Council Resolution and that a copy of this resolution be transmitted to the owners of the property and the City Council.

PASSED AND APPROVED BY THE PLANNING COMMISSION OF THE CITY OF CHULA VISTA, CALIFORNIA, this 8th day of December, 2005, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

Vicki Madrid, Chair

ATTEST:

Diana Vargas, Secretary

OTAY RANCH SUBAREA

PLANNING DISTRICTS



